



**Town of Cromwell  
Inland Wetlands and Watercourses Agency**

***PUBLIC HEARING AND REGULAR MEETING  
7:00 P.M. WEDNESDAY, AUGUST 4, 2010  
ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET***

**AGENDA**

1. Call to Order
2. Roll Call
3. Seating of Alternates
4. Approval of Agenda
5. Approval of Minutes:
  - a. July 7, 2010
6. Development Compliance Officer Report:
  - a. Status of On-going Projects
  - b. Status of Existing Cease and Desist Orders:
    1. 97 Nooks Hill Road.
7. Public Comments
8. Town Planner Report:
  - a. Upland Review Area Permits Issued by Staff: None
  - b. Proposed Change to Staff Approval Process

RECEIVED FOR FILING  
07/29 2010 at 1:26 P.M.  
TOWN CLERK'S OFFICE  
CROMWELL, CONN.

*Gloria Prendergast, Asst.*  
TOWN CLERK

**9. Public Hearing:**

a. Application #10-05: Proposed Amendment to Sections 7 and 11 of the Inland Wetland Agency Regulations regarding the length of permit validity, to comply with Public Act #09-111. Inland Wetlands and Watercourses Agency, applicant.

**10. Old Business:**

a. Application #10-07: Move Existing "Made Wetlands" at 51 Court Street. Michelle Hodge, owner/applicant. Continued from June 2, 2010.

**11. New Business:**

a. Application #10-11: Repair Existing Culvert under Court Street near 63 Court Street. Town of Cromwell, owner/applicant.

**12. Communications:** None.

**13. Commissioners' Comments and Reports**

**14. Adjourn**

Individuals with disabilities who require accommodations, assistance, or communication aids to participate at this meeting are encouraged to make their needs and preferences known to Town Planner Craig Minor at 632-3422 or [cminor@cromwellct.com](mailto:cminor@cromwellct.com) or to the Town ADA Coordinator Therese Strong at 632-3446 or [tstrong@cromwellct.com](mailto:tstrong@cromwellct.com) at least 72 hours prior to the scheduled event.



**Town of Cromwell  
Inland Wetlands and Watercourses Agency**

RECEIVED FOR FILING

*PUBLIC HEARING AND REGULAR MEETING* 7-13 2010 at 8:45 AM  
*7:00 P.M. WEDNESDAY, JULY 7, 2010* TOWN CLERK'S OFFICE  
*ROOM 224 CROMWELL TOWN HALL, 41 WEST STREET CROMWELL, CONN.*

*Jan Ahlquist Costello*  
TOWN CLERK

**MINUTES**

**PRESENT:** Chairman Jonathan Beatty, G. Alden Nettleton, Scott Lamberson, William Yeske, Wynn Muller, Madeline Lowry, Joe Corlis and Alternate Amanda Thomas

**ALSO PRESENT:** Town Planner Craig Minor, Town Engineer Joe Mazurek and Board of Selectman liaison Ann Halibozek (arr. 7:12p.m.)

1. **Call to Order:** Chairman Beatty called the meeting to order at 7:00p.m.
2. **Roll Call:** The above-mentioned members were introduced.
3. **Seating of Alternates:** None.
4. **Approval of Agenda:** A **motion** was made by Mr. Corlis and **seconded** by Mr. Muller to approve the agenda and was *unanimously approved. Motion passed.*
5. **Approval of Minutes:**

**a. June 2, 2010:**

Mr. Muller submitted written suggested changes.

Page 3: Remove the section beginning with "Mr. Muller stated that..." and ending with "...not the best alternative." with "Mr. Muller stated there were some misconceptions regarding the original application. Last month we heard that there had been no finding of significant impact with that application #04-19. While that may be technically correct, application #04-18 was to amend the town wetland map on the same property and was being considered concurrently. Under 04-18 there was a determination of significant impact and a public hearing was held. The agency held that locating the house closer to the road was less impact on the overall wetlands than the alternative, although both alternatives were undesirable."

Page 5: Remove the statement "Mr. Muller would like the hearing to be kept open." And replace

with "Mr. Muller indicated that Mrs. Lowry had a motion on the floor which had not been seconded. However, it may be an invalid motion since the hearing was still open. He would like to keep the hearing open to consider the revised application. Mrs. Lowry withdrew her motion."

A **motion** was made by Mr. Muller and **seconded** by Mr. Corlis to approve the minutes of June 2, 2010 with the suggested changes and was *unanimously approved. Motion passed.* Mr. Lamberson abstained.

**6. Development Compliance Officer Report:** Mr. Curtin was not in attendance but submitted a written report.

**a. Status of On-going Projects:**

A **motion** was made by Mr. Yeske and **seconded** by Mr. Nettleton to have the Town Attorney send a letter to the owners of Cromwell Commons and was *unanimously approved. Motion passed.*

**1. 4 Eager Lane:**

Joe Mazurek, Town Engineer, stated that the original plan was approved by P&Z and called for a drainage swale but because of recent activity on the property the only solution would be to construct a formal pipe system. Mr. Mazurek wanted the commission to be aware of this change. There was to be a meeting this morning but the developer didn't show up. Chairman Beatty stated that the purpose of the pipe would do the same job as the swale. The property owner is willing to do the work if the developer doesn't follow through. The amount of water conveyed will remain the same. Mr. Nettleton asked if the pipe used will allow for excess water and Mr. Mazurek confirmed that it would be. The maintenance of the drains will be the homeowner's responsibility.

A **motion** was made by Ms. Lowry and **seconded** by Mr. Corlis to find the change in the application not significant and was *unanimously approved. Motion passed.*

b. Status of Existing Cease and Desist Orders:

**1. 97 Nooks Hill Road.**

An update was included in Mr. Curtin's report.

**7. Public Comments:** None.

**8. Town Planner Report:**

a. Upland Review Area Permits Issued by Staff:

1. Application #10-09: Footings Under Existing Deck at 9 Summerbrook Lane. Ronald Infante, applicant; Loraine Caruso, owner: This permit was approved in-house.

9. Public Hearing:

**a. Application #10-07: Move Existing "Made Wetlands" at 51 Court Street. Michelle Hodge, owner/applicant. Continued from June 2, 2010:**

Atty Mike Dowley, representing the Hodge family, has reviewed the materials and has concluded that the public is concerned about drainage and flooding. Joe Mazurek, Town Engineer, stated that there are internal concerns about drainage issues. Mr. Mazurek stated that drainage problems are a common issue and the town is proposing to undertake a redesign of the system on Court Street. Work is planned to begin before the end of the summer but the schedule is determined by the Public Works department. Mr. Mazurek described the project and the location of the catch basins. The project will help resolve the issue. Ms. Lowry asked if the existing pond could be filled in and not moved elsewhere. Mr. Mazurek confirmed that it would be filled in. Atty Dowley stated that the applicant is okay with agreeing to hold off on doing any work until the town's project is completed. Chairman Beatty opened the comments to the public.

Pat Whitney, 63 Court Street, lives near the culvert and at the time the house was built they agreed to take responsibility to make sure that the water has a clear path. Ms. Whitney stated that the water has a hard time flowing through the pipes and feels that there is too much water coming from too many areas to flow through this area. Ms. Whitney is not in favor of relocating the water unless the project will work. Ms. Whitney brought this issue up two years ago and hasn't heard back from town staff. Ms. Whitney submitted photos showing the water level at different times of the year.

Ray Cioffi, 64 Court Street, believes the hole in the ground should be described as a wetland not a depression. Mr. Cioffi stated that this issue has been going on for fifteen years and doesn't feel that the application should be approved unless the commission can get assurance in writing from the town. Mr. Cioffi wants to make sure that the work is done properly to the satisfaction to all parties involved. Mr. Cioffi is frustrated that this issue has not been addressed for fifteen years.

Jim Gibson, 4 Sachem Drive, is concerned about filling in a wetland.

Jack Lutz, 6 Sachem Drive, asked if the proposal being discussed tonight is the same one that was presented last month and Mr. Cassidy confirmed that it was. Mr. Lutz asked what Ms. Thomas' suggestion was last month. Ms. Thomas stated that her suggestion last month was to

have a mitigation plan in place in case the town doesn't follow through with their project. Mr. Lutz has observed that the area has continued to be mowed. Mr. Lutz would like to still give the wetland a chance to develop.

Ray Cioffi, 64 Court Street, asked about the timeline for the catch basins and the culvert and Mr. Mazurek stated that the catch basins would be done by the end of the summer and the culvert would be done in the fall. Mr. Cioffi would like a more definite timeline. Chairman Beatty stated that it seems that the real issue is with the culverts and that should be dealt with first. Mr. Cioffi wants to see the project done right and is concerned about the health hazard of mosquitoes breeding in the standing water. Chairman Beatty stated that the approval on this application can be contingent on the completion of the town's project. Mr. Cioffi would like the specifics of the 'complete' project be spelled out and would also like a hearing after the project is done to make sure it is done right. Mr. Minor feels that these suggestions are unreasonable because the burden of the town's project is on the homeowner. Mr. Minor clarified that he felt delaying a decision on this application would be unreasonable. Mr. Cioffi would like the neighbors to have a chance to speak on the project before the homeowner's project begins. Mr. Lamberson feels that it would be beyond the scope of the commission to require that the neighbors review the town's work before the work on the application begins. Mr. Muller stated that the only thing that the commission has control over is whether or not to fill in the wetland area. Mr. Yeske stated that the group of neighbors has recourse if the work is done incorrectly but that he was assured by the engineer that it would be. Mr. Minor stated that the enforcement officer could review the project before the application work begins.

Jack Lutz, 6 Sachem Drive, stated that the town's work was not part of the suggestions made to resolve the issues of the wetland. Mr. Lutz stated that the issue is actually the filling in of the wetland. Mr. Lutz would still like to see the wetland be given a chance to flourish and stated that a fence that was supposed to be installed hasn't been put in. Chairman Beatty reviewed the approval of the original house plans. Mr. Minor stated that there were two pockets of wetlands and the commission allowed the filling in of the wetlands in the front and creating a wetland in the back of the house. Chairman Beatty stated that the mitigation for filling in the wetland includes removing invasive plants and planting wetland plants.

Kathy Choffee, 69 Court Street, asked where the water will be going.

Jim Gibson, 4 Sachem Drive, doesn't believe that planting something somewhere is enough mitigation.

Joe Mazurek, Town Engineer, agrees that this is a two-prong issue and stated that the soil scientist agrees that the area is a depression. Mr. Mazurek stated that he still needs to come before the commission for work on the culvert and plans to come before the commission next month. Mr. Mazurek proposes installing a 36 inch pipe to eliminate the elevated height of the

pipe. Mr. Mazurek suggests that the catch basin solution be acted upon and the culvert project be addresses separately. Mr. Minor asked which is the culvert replacement on the pipes and Mr. Mazurek stated that the pipe under the pavement is connecting two catch basins. Mr. Mazurek stated that the culvert replacement is for the stream. Mr. Mazurek has assurances from the administration that both of the projects will be supported.

Patricia Whitney, 63 Court Street, asked if the pipe would be able to handle the runoff and Mr. Mazurek explained the town's project.

Mr. Mazurek showed that he has the letter from Ms. Whitney on her complaint that was forwarded to the letter to the Public Works Director.

Mr. Mazurek reiterated that the culvert and basins are two different issues. Mr. Muller asked if the culverts are part of the application. Atty Dowley stated that they are not and reviewed the application. Atty Dowley stated that approval of the application would help all parties involved.

Jack Lutz, 6 Sachem Drive, stated that the proposal last month included a culvert.

Jim Cassidy, Engineer with Hallisey, Pearson and Cassidy, showed the plan that was presented May 28, 2010 and reviewed it. Mr. Cassidy confirmed that the work cannot be completed until the town does their part.

Mr. Corlis is in favor of moving forward with the project and is aware that the Public Works department has money in their budget and would like to have the suggested conditions included. Ms. Lowry is in favor of the application as long as the town's project is done correctly.

Ms. Thomas asked about the specific planting plan.

Mr. Muller is in favor of closing the hearing and voting on the application next month. Mr. Muller would like to have the motion drawn up ahead.

Mr. Yeske would like the brook repaired, the town should be held accountable, the culvert should be a separate issue but tied into the project, stated that the pool was approved and no rules were broken, and is not sure if he can vote on the project because Atty Dowley was his attorney at World Gym.

Mr. Nettleton-no questions/comments.

Mr. Lamberson asked about the wetland determination and Mr. Cassidy confirmed that Mr. Pawlak determined it is a low functioning wetland. Mr. Lamberson asked Mr. Cassidy to review the mitigation plan. The plan is to remove invasive plants and plant shrubs in two areas. Mr. Lamberson agrees that a motion should be drawn up ahead of time. Chairman Beatty asked Mr. Minor to draft a motion ahead of time in anticipation of this issue.

Chairman Beatty asked for confirmation that there will be no increase in water on the south side of Court Street and Mr. Mazurek confirmed.

A **motion** was made by Mr. Muller and **seconded** by Mr. Yeske to close the public hearing and was *unanimously approved. Motion passed.*

A motion was made by Ms. Lowry and seconded by Mr. Corlis to approve application #10-51 and that items 2 & 3 should be completed before the work actually commences.

Mr. Muller would still like to consider this motion as a draft and may want to consider having an alternative motion.

Commission members informally decided that they would like to wait until next month to vote on the application. Chairman Beatty stated that the commission is only voting on the homeowners' application and Mr. Muller stated that the obligations of the commission should be included in the motion to approve and that the commission is not ignoring its obligations.

The previous motion was withdrawn by Ms. Lowry and Mr. Corlis.

A **motion** was made by Mr. Lamberson and **seconded** by Mr. Nettleton to table the application until next month and was *unanimously approved. Motion passed.*

**10. Old Business:**

**a. Application #10-10: Gas Station/Convenience Store Renovation at 207 West Street. Gas Development Cromwell LLC, owner/applicant:**

Matthew Davison, Soil Scientist with Vanasse Hangen Brustlin, Inc. reviewed the project for a gas station between Stop N' Shop and Wendy's restaurant. Standard E&S Controls will be installed during construction. Ms. Lowry asked if anything has changed since last month and Mr. Davison confirmed that everything is the same. Mr. Mazurek asked if this station is owned by Stop N' Shop and Mr. Davison stated that it is owned by Gas Development LLC. Mr. Minor stated that the owner is Gas Development LLC. Mr. Mazurek stated that it would be prudent to have an internal driveway with Stop N' Shop if it is owned by them. Chairman Beatty stated that that it would be a P&Z issue and they would have to come before the IWWA to request a modification to the plan.

A **motion** was made by Mr. Muller and **seconded** by Mr. Corlis to approve Application #10-10 and was *unanimously approved. Motion passed.*

**11. New Business:** None.

**12. Communications:** None.

**13. Commissioners' Comments and Reports:** Chairman Beatty suggests that small commercial projects that do not include new buildings or changes in drainage patterns could be

approved in house by making a change to the regulations. Mr. Minor does not recommend doing it tonight Mr. Yeske feels that the regulations should be followed no matter what type of project it is. Chairman Beatty stated that even small projects could change the drainage pattern. Mr. Muller feels that commercial projects should be approved through the commission to avoid town staff being influenced by a team of engineers. Chairman Beatty felt that there could be limits placed on what type of commercial applications could be staff approved. Ms. Thomas feels that it could be a slippery slope because commercial applicants have staff that specializes in getting applications approved. Ms. Lowry agrees with Ms. Thomas.

Mr. Muller asked if the agenda that is received in the mail is the same one that is received electronically and Mr. Minor confirmed that it is. Chairman Beatty requested that the file be saved in a JPEG/PDF format not a TIF format.

Mr. Nettleton asked if everyone got a letter from Save Our Neighborhood about a project on the Millane property. Mr. Minor stated that Millane's reached out to neighbors previously and received a negative response. There is no application pending a this time.

**14. Adjourn:** A motion was made by Mr. Lamberson and **seconded** by Mr. Muller to adjourn at 9:08p.m. and was *unanimously approved. Motion passed.*


Respectfully submitted,



Catherine Potter

Clerk

# Memo

**To:** Inland Wetlands and Watercourses Agency  
**From:** Craig Minor, AICP  
Town Planner   
**Date:** July 29, 2010  
**Re:** Comments for IWWA Meeting on August 4, 2010

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**8. Town Planner Report:**

b. Proposed Change to Staff Approval Process

See attached memo.

**9. Public Hearing:**

a. Application #10-05: Proposed Amendment to Sections 7 and 11 of the Inland Wetland Agency Regulations regarding the length of permit validity, to comply with Public Act #09-111. Inland Wetlands and Watercourses Agency, applicant.

This amendment is necessary because of a change in the law made back in 2009. This amendment changes the "shelf life" of certain wetland permits, depending on several factors. See attached.

**10. Old Business:**

a. Application #10-07: Move Existing "Made Wetlands" at 51 Court Street. Michelle Hodge, owner/applicant. Continued from June 2, 2010.

See attached draft motion to approve. I drafted it to contain reference to several individual findings, and several facts about the application.

**11. New Business:**


a. Application #10-11: Repair Existing Culvert under Court Street near 63 Court Street. Town of Cromwell, owner/applicant.

This is the culvert repair project that Town Engineer Joseph Mazurek referred to during the public hearing on Application #10-07.

I recommend the application be deemed "not significant", but that a public hearing be held on it next month to give the public the opportunity to ask questions and express opinions.

cc:  
file

# Memo

**To:** Inland Wetlands and Watercourses Agency  
**From:** Craig Minor, AICP  
Town Planner   
**Date:** July 29, 2010  
**Re:** Proposed Change to Staff Approval Process

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Connecticut state law gives municipal inland wetlands agencies the right to delegate permit approval authority to their staff, if the agency wishes to. Cromwell chose to take advantage of this law several years ago and amended its regulations to give the staff the authority to approve certain applications for minor activities in the upland review area only.

As you can see from the attached checklist, there are quite a few restrictions on when the staff can approve a permit. Proximity to wetlands and conservation easement areas, the topography of the site, and the nature of an earlier permit can prevent the staff from being allowed to approve a permit.

This authority was originally limited to just minor residential activities, such as swimming pools and fences. It was then amended a few years later to include minor Town-initiated projects. I am now suggesting it be amended again to include minor commercial projects. A good example is the gas station on West Street last month, where the owner wanted to put a small dumpster pad in the upland review area. Because it required an IWA-issued permit, the project had to wait over a month before it could even apply to P&Z for P&Z site plan approval. If the staff had the authority to approve it, the project could have moved along much more quickly.

cc:  
file

# UPLAND REVIEW AREA

## PERMIT CHECKLIST

Application #: \_\_\_\_\_

Applicant: \_\_\_\_\_

Street Address: \_\_\_\_\_

- \_\_\_\_\_ 1. Single family residential, or small project by the Town;
- \_\_\_\_\_ 2. Grade no steeper than 10%;
- \_\_\_\_\_ 3. New location not more than 10' from the original location;
- \_\_\_\_\_ 4. Proposed activity at least 10' from conservation easement;
- \_\_\_\_\_ 5. Proposed activity at least 30' from wetland or watercourse.

TOWN OF CROMWELL  
INLAND WETLANDS AND WATERCOURSES AGENCY  
PUBLIC HEARING

The Cromwell Inland Wetlands and Watercourses Agency will hold a Public Hearing on Wednesday, August 4, 2010 at 7:00 p.m. in Room 224 of the Cromwell Town Hall at 41 West Street on the following item:

1. Application #10-05: Proposed Amendment to Sections 7 and 11 of the Inland Wetland Agency Regulations regarding the length of permit validity, to comply with Public Act #09-111. Inland Wetlands and Watercourses Agency, applicant.

At this hearing interested persons may appear and be heard and written testimony received. This application is available for public inspection in the office of the Town Planner.

Jonathan Beatty  
Chairman

Dated in Cromwell, Connecticut this 21st day of July 2010

## SECTION 11 DECISION PROCESS AND PERMIT

(new text is shown in **bold underline**)

- 11.6 Any permit issued by the Agency **prior to July 1, 2006 or after July 1, 2009** for the development of land for which an approval is required under Section 8-3, 8-25 or 8-26 of the Connecticut General Statutes shall be valid for five years provided the Agency may establish a specific time period within which any regulated activity shall be conducted.

Any permit issued by the Agency **prior to July 1, 2006 or after July 1, 2009** for any other activity shall be valid for not less than two years and not more than five years.

**Any permit issued by the Agency during the time period July 1, 2006 to July 1, 2009 inclusive, shall expire not less than six years after the date of such approval.**

In other words, any wetland permit issued *during* this 2006 - 2009 window must be good for at least six years.

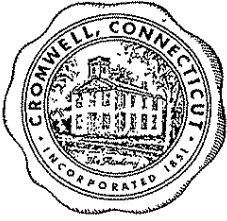
But if the permit was issued *before or after* this 2006 - 2009 window, and it was for something that also requires P&Z approval (such as a subdivision or a commercial building), the permit must be good for five years and the IWA can dictate during which months the applicant may do work in the wetlands. A permit issued during this time frame for something that does not also require P&Z approval (such as a swimming pool, or a driveway) can be good for between two and five years. Apparently you can't dictate when the work may be done if the permit is for a swimming pool or a driveway. I'm sure the legislature had a good reason to make this incredibly complicated change.

## SECTION 7 APPLICATION REQUIREMENTS

(text to be deleted is shown in **~~bold strikethrough~~**; new text is shown in **bold underline**)

- 7.10 Any application to renew a permit shall be granted upon request of the permit holder unless the Agency finds that there has been a substantial change in circumstances which requires a new permit application or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued provided ~~no permit may be valid for more than ten years~~ **(a) no permit issued during the time period from July 1, 2006 to July 1, 2009, inclusive, shall be valid for more than eleven years; (b) no permit issued prior to July 1, 2006 or after July 1, 2009 may be valid for more than ten years.**

In other words, if the wetland permit was issued during this 2006 - 2009 window and the permittee asks for more time, the IWA can grant him another six years. But if the wetland permit was issued sometime before or after that window, the IWA can only grant him another five years. My guess is that this amendment was done by the legislature to help a particular developer who had a problem getting his project off the ground and was running out of time.



# Town of Cromwell

## Inland Wetlands and Watercourses Agency

NATHANIEL WHITE BUILDING  
41 WEST STREET  
CROMWELL, CONNECTICUT 06416

--- d r a f t ---

### Motion to Approve Application #10-07:

#### Whereas:

1. In September 2004 the Inland Wetlands and Watercourses Agency found that the large wetland in the back of the lot known as 51 Court Street performs far more wetland functions than the small, isolated wetland in the front of the lot, and for that reason approved IWA Permit #04-19; and
2. The applicant has submitted expert testimony regarding the low value of the constructed wetland, which testimony was not refuted by expert testimony to the contrary; and
3. The applicant has submitted expert testimony that the constructed wetland is probably not a vernal pool; and
4. The applicant's expert testimony stated that this activity will not exacerbate the existing flooding conditions in the area, which testimony was not refuted by expert testimony to the contrary; and
5. Sec. 22a-42a(d)(1) states that the Agency may approve applications with conditions that may include "in the following order of priority: restore, enhance, and create productive wetland or watercourse resources", and the applicant has proposed to restore the degraded wetlands to the rear and east side of the property by removing invasive vegetation; and
6. The Agency believes that removing invasive vegetation from the larger wetland will do more to benefit it than would attempting to enhance the constructed wetland; and
7. The Agency finds there is no prudent and feasible alternative to the requested activity.

A motion to approve Application #10-07 is appropriate.

**Special Conditions:**

1. This permit shall not take effect until the Town of Cromwell installs the catch basin and related improvements shown on the "Wetlands Mitigation Modification Plan" prepared by Hallisey, Pearson and Cassidy dated May 28, 2010.
2. The applicant shall remove all existing invasive shrubs in the area shown on the "Wetlands Mitigation Modification Plan" prepared by Hallisey, Pearson and Cassidy dated May 28, 2010, and shall plant twenty suitable wetland shrubs in this same area. Shrubs to be planted shall be approved by town staff prior to planting. This work shall be completed to the satisfaction of the Wetlands Enforcement Officer prior to commencing any work in the wetland to be filled.
3. The applicant shall plant sixteen non-wetland shrubs at the location shown on the "Wetlands Mitigation Modification Plan" prepared by Hallisey, Pearson and Cassidy dated May 28, 2010. Shrubs to be planted shall be approved by town staff prior to planting. This work shall be completed to the satisfaction of the Wetlands Enforcement Officer prior to commencing any work in the wetland to be filled.
4. The applicant shall prepare and record a revised Conservation Easement reflecting the revised conservation easement area, to be reviewed by town staff prior to recording.
5. The applicant shall install conservation easement medallions (to be provided by the Town) on suitable posts at 50' intervals along the new conservation easement boundary.

**General Conditions:**

1. This Permit shall expire five years after the date of its issuance.
2. All work shall be conducted as shown on the "Wetlands Mitigation Modification Plan" prepared by Hallisey, Pearson and Cassidy dated May 28, 2010 or as amended to reflect any conditions of this approval.
3. The Permittee shall notify the Development Compliance Officer and the Town Engineer immediately prior to any work being conducted in a wetland or upland review area.
4. The Permittee shall notify the Development Compliance Officer upon the completion of the approved regulated activity.
5. In granting this Permit, the Agency has relied on information provided by the Permittee and, if such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, this permit may be modified, suspended or revoked.
6. Prior to commencement of any regulated activity and not more than 30 days after the date of this permit, the Permittee shall submit a narrative "Erosion and Sediment Control Chronological Order Checklist" for use by the Permittee's contractors and town staff.

7. The Permittee shall mark the boundaries of all conservation easement areas in a manner approved by the Agency, such as concrete monuments, a split-rail fence, new trees or shrubs, metal medallions attached to existing trees, or some combination of the above. The Permittee shall install said markers before selling any residential lots, and before commencing with any other site work.
8. The Permittee shall remove all temporary erosion and sediment control devices not more than six months after the topsoil is stable.

This permit shall constitute the Agency's "final decision" per Sec. 8-26(e) of the Connecticut General Statutes.

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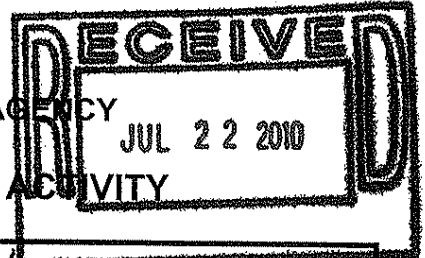
Jonathan Beatty, Chairman

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date

cc:  
Wetlands Enforcement Officer  
file

TOWN OF CROMWELL  
 INLAND WETLANDS AND WATERCOURSES AGENCY  
 APPLICATION TO CONDUCT REGULATED ACTIVITY



Street: COURT STREET	Map/Block/Lot: N/A
Address: NEAR #63 COURT.	Volume/Page: N/A
Applicant: CROMWELL DPW	Owner: N/A
Address: 41 WEST ST. CROMWELL, CT. 06416	Address: N/A
Phone: 860-632-3420	I hereby consent to the Applicant acting as my agent for the purpose of this application. I hereby permit the members and agents of the Agency to inspect the subject land both before and after a final decision has been issued.
Parcel ID #: N/A	
Signature: <i>Joseph A. [unclear]</i>	

Reason for the Proposed Wetland or Upland Review Area Disturbance (not a description of the project, but an explanation of why this disturbance is necessary to complete the project):

REPLACEMENT OF EXISTING CULTIVATION WILL DISTURB SOME OF EXISTING WETLANDS.

Area of Wetland Impacted by this Project (in square feet or acres): 48 SQ. FT.

Area of Upland Review Area Impacted by this Project (in square feet or acres): 336 SQ. FT. (COURT STREET)

Description of Alternative Methods Considered, and Justification for Method Chosen:
N/A

Certification of Notice to Neighboring Municipalities	
Is any portion of the wetland or watercourse impacted by this application within 500' of Rocky Hill, Berlin, or Middletown?	Yes / <input checked="" type="radio"/> No Not Applicable
Has a copy of this application been sent to the Rocky Hill, Berlin, or Middletown municipal Inland Wetlands and Watercourses Agency?	Yes / <input checked="" type="radio"/> No Not Applicable
Has a copy of the plans been sent to the Rocky Hill, Berlin, or Middletown municipal Inland Wetlands and Watercourses Agency?	Yes / <input checked="" type="radio"/> No Not Applicable

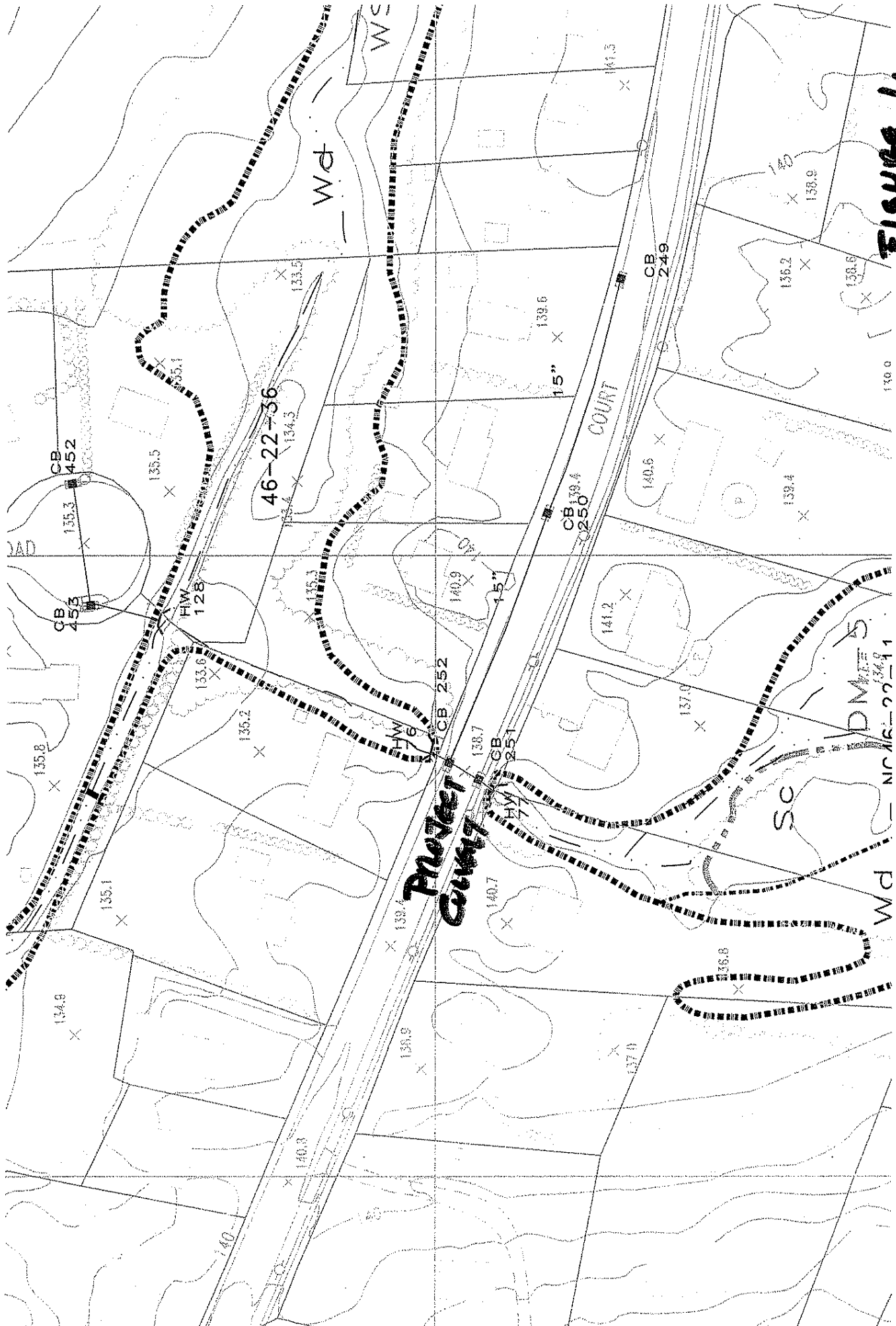
I, the undersigned, hereby certify that the information presented as part of this application is to the best of my knowledge, true and accurate and that should such information be proved to be inaccurate or misleading, any permit issued on the basis of this information may be revoked.

Joseph S. Marzorek  
Applicant's Signature

7/22/10  
Date of Submission

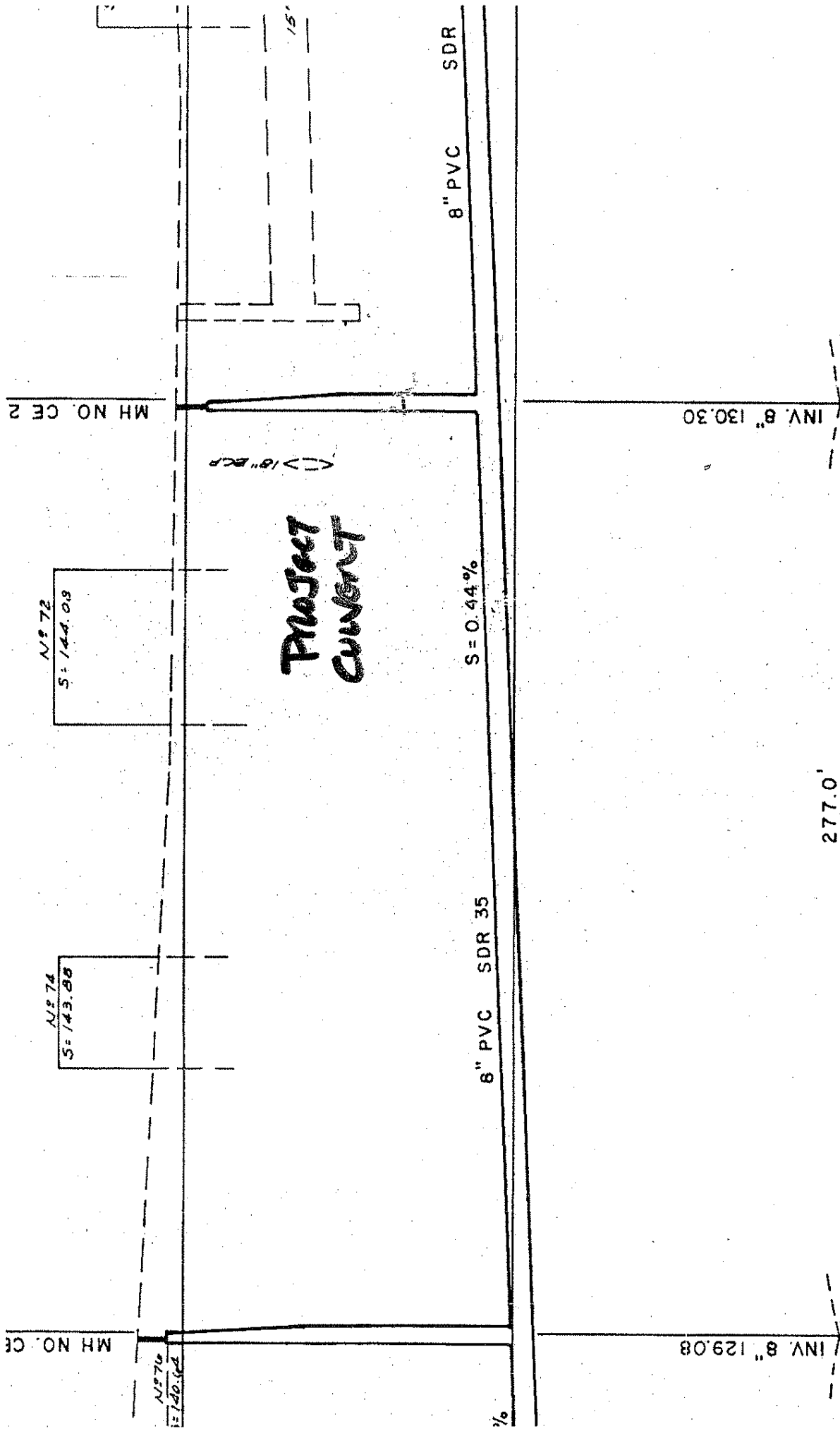
JOSEPH S. MARZOREK  
Printed Name

*The Cromwell Inland Wetlands and Watercourses Agency has detailed environmental information on many of the wetland areas in town. The applicant is strongly encouraged to request a copy of this information.*



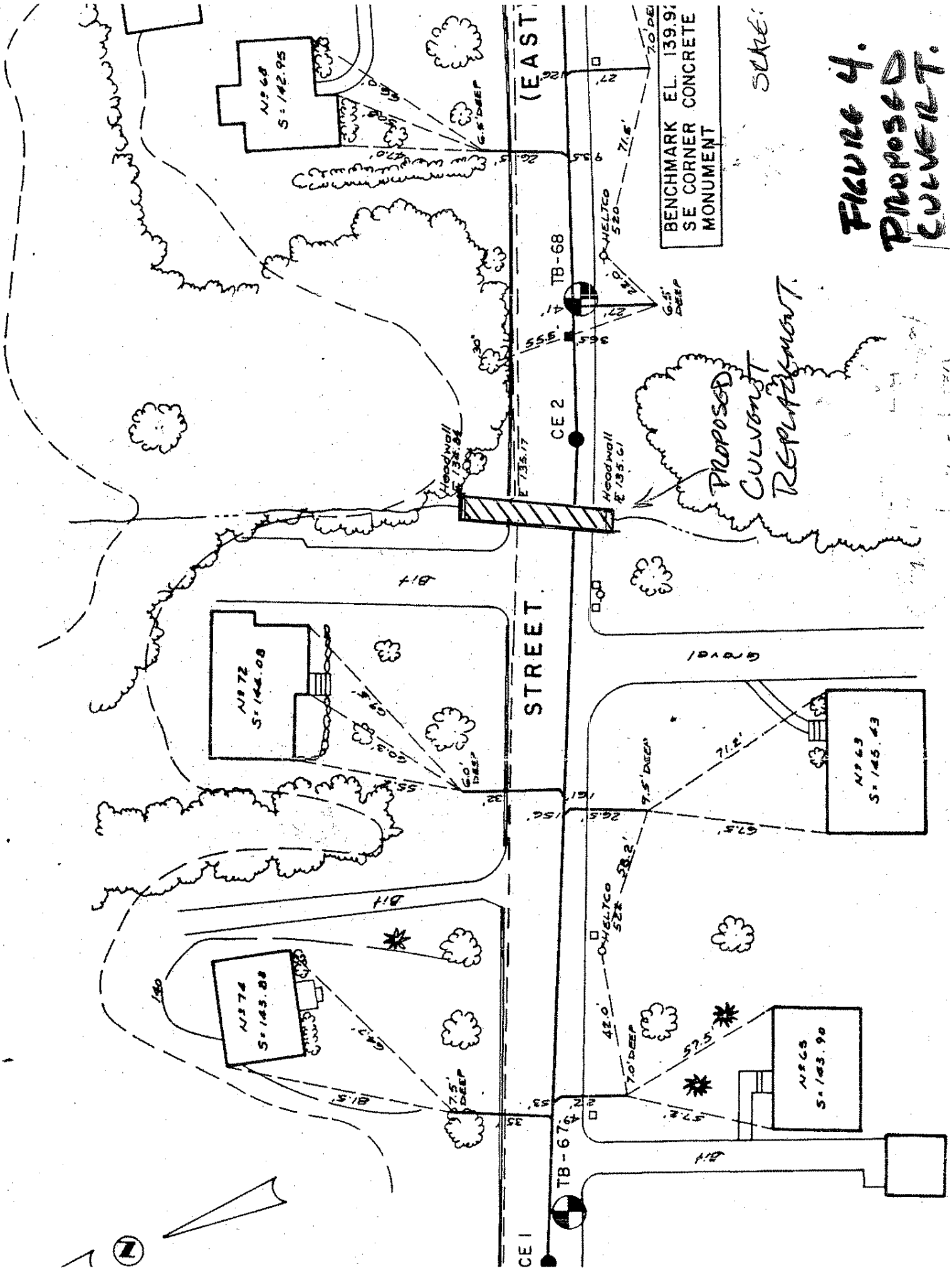
**Figure 1.**  
 WATERWAY WITH





SCALE:  
 V: 1" = 4'  
 H: 1" = 40'

**FIGURE 3:  
 EXIST. PROFILE**



BENCHMARK EL. 139.91  
 SE CORNER CONCRETE  
 MONUMENT

SCALE:

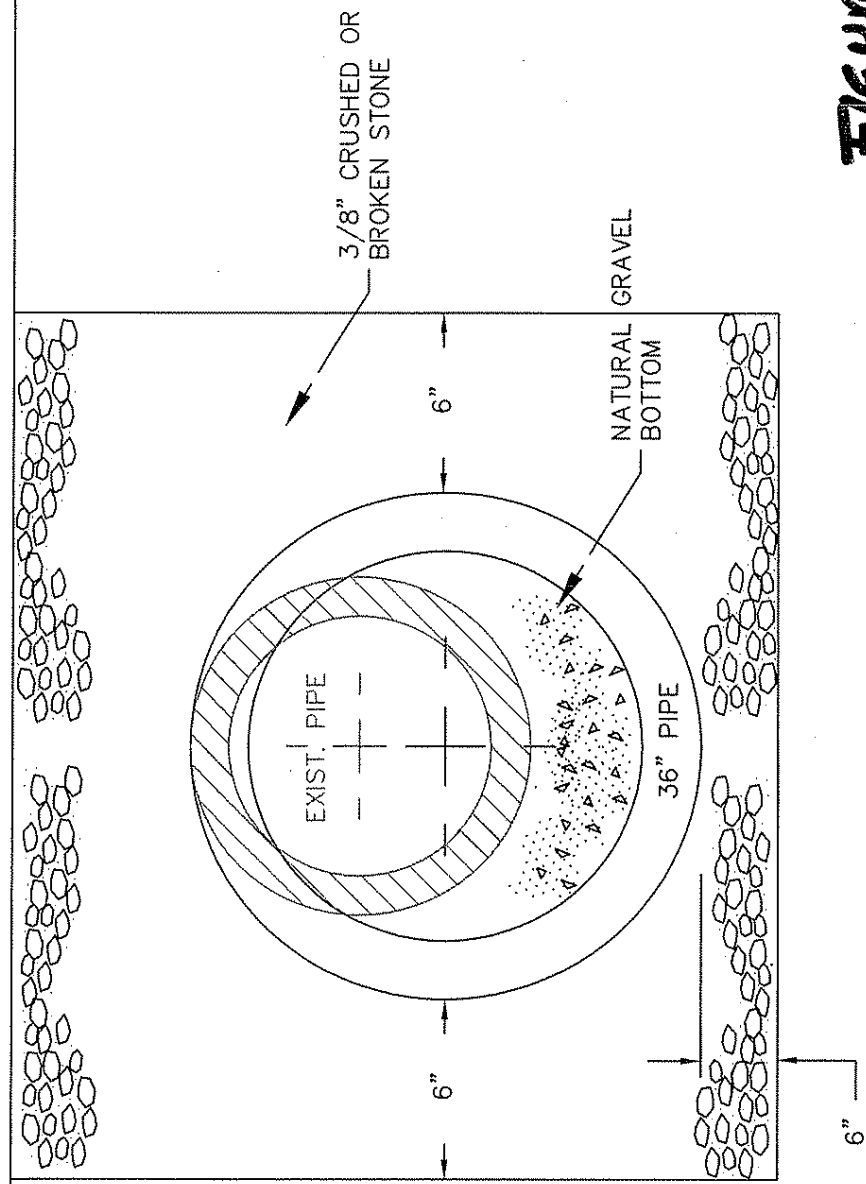
**Figure 4.**  
**PROPOSED**  
**CULVERT.**

# CULVERT

N.T.S.

PAVEMENT

SUBBASE



NOTES:

2. LOCATION SHALL BE AS DIRECTED BY THE ENGINEER

**FIGURE 5.  
CULVERT.  
DETAIL.**